

**TRANSMITTAL  
FORM**

(To be used for all correspondence after initial filing)

Total Number of Pages in This Submission:

Application Number	10/017,640
Filing Date	December 14, 2001
First Named Inventor	William R. Matz
Art Unit	3629
Examiner Name	Ouellette, J.
Attorney Docket Number	BS01342

**ENCLOSURES**

(Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): See Remarks
Remarks: (1) Petition to Revive Unintentionally Abandoned Application Under 37 C.F.R. § 1.137 (f) (2) USPTO Form PTO/SB/64a (3) Credit Card Payment Form		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Name (Print/Type)	Bambi Faivre Walters	Reg. No.:	45,197
Signature			
Date	10/8/04		

**CERTIFICATE OF TRANSMISSION / MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, PO Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Name (Print/Type)	Sheri Bukowski	Date	October 8, 2004
Signature			

# FEE TRANSMITTAL for FY 2003

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	\$1,370.00
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METHOD OF PAYMENT (check all that apply)
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Check  Credit Card  Money Order  Other  None

Deposit Account

Deposit  
Account  
No.

Deposit  
Account  
Name

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments

Charge any additional fee(s) during the pendency of this application

Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account



## FEE CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1):					

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	-	20**	=	X 18.00	=
Independent Claims	-	3**	=	X 86.00	=
Multiple Dependent					=

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

\*\*or number previously paid, if greater; For Reissues, see above

SUBTOTAL (2):
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### SUBMITTED BY:

Name (Print/Type)	Bambi Falvre Walters	Registration No. (Attorney/Agent)	45,197	Telephone:	(757) 253-5729
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Signature		Date	October 8, 2004
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Complete if Known

Application Number	10/017,640
Filing Date	December 14, 2001
First Named Inventor	William R. Matz
Examiner Name	Jonathan P. Ouellette
Art Unit	3629
Attorney Docket No.	BS01342

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge – late filing fee or oath	
1052	50	2052	25	Surcharge – late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive – unavoidable	
1453	1,330	2453	665	Petition to revive – unintentional	1,370.00
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fees under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Info Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify):					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3): \$1,370.00					

10-12-04

DAG  
JFW

PTO/SB/64a (09-04)  
Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED FOR FAILURE TO NOTIFY THE OFFICE OF A FOREIGN OR INTERNATIONAL FILING (37 CFR 1.137(f))</b>	Docket Number (Optional)
BS01342	

First named inventor: William R. Matz

Application No.: 10/017,640

Art Unit: 3629

Filed: December 14, 2001

Examiner: J. Ouellette

Title: System and Method for Identifying Desirable Subscribers

Attention: Office of Petitions

**Mail Stop Petition**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned pursuant to 35 U.S.C. 122(b)(2)(B)(iii) for failure to timely notify the Office of the filing of an application in a foreign country or under a multinational international treaty that requires publication of applications eighteen months after filing. The date of abandonment is the day after the expiration date of the forty-five (45) day period set in 35 U.S.C. 122(b)(2)(B)(iii).

**PURSUANT TO 37 CFR 1.137(f), APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION  
UNDER 37 CFR 1.137(b)**

**1. Petition fee**

Small entity fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

Other than small entity – fee \$ 1,370.00 (37 CFR 1.17(m))

**2. Notice of Foreign or International Filing (35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c))**

Subsequent to the filing of the above-identified application, an application was filed in another country, or under a multinational international treaty (e.g., filed under the Patent Cooperation Treaty), that requires publication of applications eighteen months after the filing. The filing date of the subsequently filed foreign or international application is December 10, 2002.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*

10/13/2004 HALI11 0000008 10017640

01 FC:1453

1370.00 OP

**STATEMENT:** The entire delay in filing the required notice of a foreign or international filing from the due date for the required notice until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**



Signature

October 8, 2004

Date

Bambi Faivre Walters

45,197

Typed or printed name

Registration Number, if applicable

P.O. Box 5743

757-253-5729

Address

Telephone Number

Williamsburg, VA 23188

Address

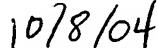
Enclosures:  Fee Payment Additional sheets containing statements establishing unintentional delay Other: (1) Transmittal of Petition (2) Request for Petition Under 37 CFR 1.137 (f)

**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.



Date



Signature

Sheri L. Bukowski

Typed or printed name of person signing certificate

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to:  
Office of Petitions, Mail Stop Petitions, COMMISSIONER FOR PATENTS, PO Box 1450, Alexandria, VA 22313-1450 on

Oct 8, 2004

Sheri Bukowski  
Sheri Bukowski

10/8/04  
Date of Signature



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re application of:** William R. Matz

**Group Art Unit:** 3629

**Application No.:** 10/017,640

**Examiner:** Jonathan P. Ouellette

**Filed:** December 14, 2001

**Title:** "System and Method for Identifying Desirable Subscribers"

**VIA USPS EXPRESS MAIL**

Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR PETITION TO REVIVE UNINTENTIONALLY ABANDONED  
APPLICATION UNDER 37 C.F.R. § 1.137(f)**

Dear Sir:

Pursuant to 37 C.F.R. § 1.137(f), Assignee hereby petitions the Commissioner to revive the above-identified patent application.

This petition is accompanied by:

- (1) The required reply, which is met by the notification of such filing in a foreign country or under a multinational treaty;
- (2) The petition fees as set forth in 37 CFR 1.17(m) in the amount of \$1,370.00; and
- (3) The statement required under 37 C.F.R. § 1.137(f) that the entire delay in filing the required reply (i.e., Notification of Foreign or International Filing) from the due date of the reply until the filing of a grantable petition pursuant was unintentional. See attached form Form PTO/SB.64a.

## CONCLUSION

Assignee submits that all of the requirements of 37 C.F.R. § 1.137(f) to revive this unintentionally abandoned application have been complied with and, thus, respectfully requests the Commissioner to grant this petition.

Please feel free to contact the undersigned with any questions or comments at 757.253.5729 or at [bambiwalters@cox.net](mailto:bambiwalters@cox.net).

Respectfully submitted,



Bambi Walters  
Attorney for Assignee  
Registration No. 45,197  
P. O. Box 5743  
Williamsburg, VA 23188  
Telephone: 757.253.5729  
Facsimile: 757.253.5729

Dated: 10/8/04